

GABRIEL L. GRASSO, ESQ.
Nevada Bar No. 7358
GABRIEL L. GRASSO, P.C.
411 South 6th Street
Las Vegas, NV 89101
T: (702) 868-8866
F: (702) 868-5778
E: gabriel@grassodefense.com
Attorney for BENEVENTO

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DARIAN BENEVENTO,

Defendant.

Case No.: 2:07-cr-00136-JAD-DJA

STIPULATION TO CONTINUE
REVOCATION HEARING DATE

(SEVENTH REQUEST)

Certification: This stipulation is filed pursuant to General Order 2007-04.

IT IS HEREBY STIPULATED AND AGREED, by and between JASON M. FRIERSON, United States Attorney, and Supriya Prasad, Assistant United States Attorney, counsel for the United States of America, and Gabriel L. Grasso, Esq, counsel for DARIAN BENEVENTO (BENEVENTO), that the revocation hearing currently scheduled for September 12, 2022, at 2:00 pm., be vacated and continued to a date and time convenient to this court, but no event earlier than THIRTY (30) days.

Pursuant to General Order No. 2007-04, this stipulation is entered and based upon the following:

1. The parties are at the end stages of negotiations of a settlement of the Supervised Release Violations which would avoid a hearing on the matter.
2. Defense Counsel will require additional time to schedule one or more in-person visits with BENEVENTO at NSDC.
3. Defense counsel will need the additional time requested to prepare for revocation hearing.
4. The parties agree to the continuance.

5. BENEVENTO is being held at NSDC Pahrump in pretrial detention and does not object to the continuance.
6. Denial of this request for continuance would deny the defense sufficient time to be able to negotiate defendant's Supervised Release violations and sufficiently communicate with BENEVENTO regarding the violations and sentencing.
7. This is the seventh request for a continuance of the revocation hearing in this case.

DATED this 6th day of September 2022

RESPECTFULLY SUBMITTED BY:

/s/ Supriya Prasad
SUPRIYA PRASAD
Assistant United States Attorney

/s/ Gabriel L. Grasso
GABRIEL L. GRASSO
Attorney for BENEVENTO

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FINDINGS OF FACT

Based upon the submitted Stipulation, and good cause appearing therefore, the Court finds that:

1. The parties are at the end stages of negotiations of a settlement of the Supervised Release Violations which would prevent a hearing on the matter.
2. Defense counsel will need the additional time requested to prepare for the revocation hearing.
3. The parties stipulate to this continuance.

CONCLUSIONS OF LAW

Denial of this request for continuance would result in a miscarriage of justice.

ORDER

IT IS ORDERED that the revocation hearing currently scheduled for September 12, 2022, at 2:00 p.m., be vacated and continued to November 7, 2022, at 3:00 p.m.

IT IS SO ORDERED:


UNITED STATES DISTRICT JUDGE

DATED: September 8, 2022.